

APR. 21. 2006 3:32PM . MOFO 28TH FL

NO. 909 P. 1

MORRISON | FOERSTER

425 MARKET STREET
SAN FRANCISCO
CALIFORNIA 94105-2482

TELEPHONE: 415.268.7000
FACSIMILE: 415.268.7522

WWW.MOFO.COM

MORRISON & FOERSTER LLP
NEW YORK, SAN FRANCISCO,
LOS ANGELES, PALO ALTO,
SAN DIEGO, WASHINGTON, D.C.,
DENVER, NORTHERN VIRGINIA,
ORANGE COUNTY, SACRAMENTO,
WALNUT CREEK, CENTURY CITY

TOKYO, LONDON, BEIJING,
SHANGHAI, HONG KONG,
SINGAPORE, BRUSSELS

TO:	FACSIMILE:
Central Fax US Patent and Trademark Office	(571) 273-8300

**RECEIVED
CENTRAL FAX CENTER**

FROM: MICHAEL R. WARD
Reg. No. 38,651

DATE: April 20, 2006

APR 21 2006

Number of pages with cover page:	6	Preparer of this slip has confirmed that facsimile number given is correct: MRW1/8693/lxo3

Comments:

Attorney Docket No: 514862002600

U.S. Patent Application Serial No. 10/560,214

For: CONTROLLED FLOW ASSAY DEVICE AND METHOD

By: Per O. OHMAN et al.

Art Unit: Not Yet Assigned

Examiner: Not Yet Assigned

DOCUMENTS ATTACHED:

- 1) Transmittal Letter to the US Designated Office-2nd Submission - 2 pgs
- 2) COPY of Notification of Missing Requirements - 2 pgs
- 3) DECLARATION (signed) - 1 pg

To ensure compliance with requirements imposed by the United States Internal Revenue Service, Morrison & Foerster LLP informs you that, if any advice concerning one or more U.S. Federal tax issues is contained in this facsimile (including any attachments), such advice is not intended or written to be used, and cannot be used, for the purpose of (i) avoiding penalties under the Internal Revenue Code or (ii) promoting, marketing or recommending to another party any transaction or matter addressed herein.

CAUTION - CONFIDENTIAL

This facsimile contains confidential information that may also be privileged. Unless you are the addressee (or authorized to receive for the addressee); you may not copy, use, or distribute it. If you have received it in error, please advise Morrison & Foerster LLP immediately by telephone or facsimile and return it promptly by mail.

BEST AVAILABLE COPY

sf-2115865

PTO-1390 (Rev. 02-2005)

Approved for use through 03/31/2007. OMB 0651-0021

U. S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371		ATTORNEY'S DOCKET NUMBER 614882002600
		U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/560,214
INTERNATIONAL APPLICATION NO. PCT/SE2005/000787	INTERNATIONAL FILING DATE May 26, 2005	PRIORITY DATE CLAIMED June 2, 2004
TITLE OF INVENTION CONTROLLED FLOW ASSAY DEVICE AND METHOD		
APPLICANT(S) FOR DO/EO/US Per Ove OHMAN and Ib MENDEL-HARTVIG		

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

- ☐ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
- ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
- ☐ This is an express request to begin national examination procedures (35 U.S.C. 371 (f)). The submission must include items (5), (6), (9) and (21) indicated below.
- ☐ The US has been elected (Article 31).
- ☐ A copy of the International Application as filed (35 U.S.C. 371 (c)(2))
 - ☐ is attached hereto (required only if not communicated by the International Bureau). (SPEC-19 pgs/Figs-3 shts)
 - ☐ has been communicated by the International Bureau.
 - ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
- ☐ An English language translation of the International Application as filed (35 U.S.C. 371 (c)(2)).
 - ☐ is attached hereto.
 - ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
- ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
 - ☐ are attached hereto (required only if not communicated by the International Bureau).
 - ☐ have been communicated by the International Bureau.
 - ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - ☐ have not been made and will not be made.
- ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
- ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)). **SIGNED (1 pg)**
- ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).

Items 11 to 20 below concern document(s) or information included:

- ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98. (3 pgs)
- ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.26 and 3.31 is included.
- ☐ A preliminary amendment. (8 pgs)
- ☐ An Application Data Sheet under 37 CFR 1.76. (3 pgs)
- ☐ A substitute specification.
- ☐ A power of attorney and/or change of address letter.
- ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
- ☐ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
- ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
- ☒ Other items or information: **COPY OF NOTIFICATION OF MISSING REQUIREMENTS - 2 pgs**

RECEIVED
CENTRAL FAX CENTER

APR 21 2006

BEST AVAILABLE COPY

page 1 of 2

SF-2115799

PTO-1380 (Rev. 02-2005)

Approved for use through 03/31/2007. OMB 0851-0021
U. S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

U.S. APPLICATION NO. (if known, see 37 CFR 1.5)		INTERNATIONAL APPLICATION NO.		ATTORNEY'S DOCKET NUMBER	
10/560,214		PCT/SE2005/000787		514862002600	
The following fees have been submitted				CALCULATIONS	PTO USE ONLY
21.	<input checked="" type="checkbox"/> Basic national fee	\$300		\$.00	
22.	<input checked="" type="checkbox"/> Examination fee				
If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4)					
All other situations				\$.00	
23.	<input checked="" type="checkbox"/> Search fee				
Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority					
International Search Report prepared and provided to the Office				\$.00	
All other situations				\$.00	
TOTAL OF 21, 22 and 23 =				\$.00	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
22 - 100 =	-0-	150 =	-0-	x \$250.00	\$ -0-
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492 (e)).				\$ 130.00	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	19 - 20 =	-0-	x 50	\$ -0-	
Independent claims	2 - 3 =	-0-	x 200	\$ -0-	
MULTIPLE DEPENDENT CLAIM(s) (if applicable)				+ 360	\$ -0-
TOTAL OF ABOVE CALCULATIONS =				\$.00	
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.				\$ 65.00	
SUBTOTAL =				\$ 65.00	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492 (f)).				+	\$
TOTAL NATIONAL FEE =				\$ 65.00	
Fee for recording the enclosed assignment (37 CFR 1.21 (h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				+	\$ -0-
TOTAL FEES ENCLOSED =				\$	
				Amount to be refunded:	\$ -0-
				Amount to be charged:	\$
<p>a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed.</p> <p>b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. <u>03-1952</u> in the amount of \$ <u>65.00</u> to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>03-1952</u>. A duplicate copy of this sheet is enclosed.</p> <p>d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p> <p>NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the International Application to pending status.</p> <p>SEND ALL CORRESPONDENCE TO:</p> <p>04/27/2006 GFREY1 00000141 031952 10560214</p> <p>01 FC:2617 65.00 DA</p> <p>CUSTOMER NUMBER: 20872</p> <p><i>Michael R. Ward</i> SIGNATURE: MICHAEL R. WARD</p> <p>NAME</p> <p>38,651 REGISTRATION NUMBER</p>					

FORM PTO-1390 (REV 12-2004)

page 2 of 2

SF-211

I hereby certify that this correspondence is being FACSIMILE TRANSMITTED TO FAX NO. 571/273-8300 on the date shown below.

Dated: April 21, 2006 Signature: *(Signature)* (LILIA OLSEN)

BEST AVAILABLE COPY



UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED
CENTRAL FAX CENTER

APR 21 2006

 UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

U.S. APPLICATION NUMBER NO. 10/560,214	FIRST NAMED APPLICANT Per Ove Ohman	ATTY. DOCKET NO. 514862002600
---	--	----------------------------------

COPY

 20872
 MORRISON & FOERSTER LLP
 425 MARKET STREET
 SAN FRANCISCO, CA 94105-2482

RECEIVED

MAR 31 2006

MORRISON & FOERSTER

INTERNATIONAL APPLICATION NO. PCT/SE05/00787	
LA. FILING DATE 05/26/2005	PRIORITY DATE 06/02/2004

CONFIRMATION NO. 2907

371 FORMALITIES LETTER

OC000000018343622

Date Mailed: 03/23/2006

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 12/09/2005
- Copy of the International Search Report filed on 12/09/2005
- Preliminary Amendments filed on 12/09/2005
- Information Disclosure Statements filed on 12/09/2005
- Small Entity Statement filed on 12/09/2005
- U.S. Basic National Fees filed on 12/09/2005
- Priority Documents filed on 12/09/2005

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

A copy of this notice **MUST** be returned with the response.

DOCKETED

BEST AVAILABLE COPY

SHELBY J VIGIL

Telephone: (703) 308-9140 EXT 224

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/560,214	PCT/SE05/00787	514862002600

FORM PCT/DO/EO/905 (371 Formalities Notice)